

### **REMARKS**

Claims 1-5 and 9-22 are pending in the application, claims 6-8 being canceled and claims 21 and 22 being newly added herein. Claims 1, 9, and 16 are the only independent claims.

#### ***Claims Rejections - 35 U.S.C. § 112***

Claims 1, 2, and 5-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner specifically maintains that it is unclear whether the surface area of the plate is greater than the first or second magnet.

Claim 1 has been amended herein to eliminate the first magnet. Since there is only one magnet referred to in claim 1, the comparison of the surface area of the plate to the magnet is now clear.

#### ***Claims Rejections - 35 U.S.C. §§ 102 and 103***

Claims 1, 2, and 5-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,677,846 to Snider in view of U.S. Patent No. 4,633,563 to Rykaczewski.

Claim 2 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,677,846 to Snider in view of U.S. Patent No. 6,669,024 to Ottens.

Claims 5-8 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,677,846 to Snider in view of U.S. Patent No. 6,056,339 to Berger.

The Examiner has allowed claims 9-20.

Applicant has amended claim 1 herein to provide a better definition of the invention. More particularly, applicant has amended claim 1 herein to recite a cleaning member slidably attached to the housing for removing metal pieces adhered to the plate by magnetic attraction.

None of the references of record shows or suggests such a slidable cleaning member on a magnetic particle pick-up device.

New dependent claim 21 sets forth that the housing is provided with a pair of parallel grooves, and that the cleaning member includes protuberances or projections extending into the grooves. Claim 21 sets forth additional patentable subject matter. None of the references of record shows or suggests such a slidable cleaning member on a magnetic particle pick-up device and accordingly none of the references teaches or suggests a cleaning member with projections extending into parallel grooves on a magnet housing.

New dependent claim 22 recites that the cleaning member has a pair of opposing side walls oriented at acute angles relative to the plate. Claim 22 sets forth additional patentable subject matter. No reference of record teaches or suggests a cleaning member with a pair of opposing side walls oriented at acute angles relative to a magnetized plate.

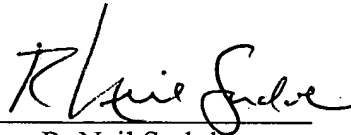
### *Conclusion*

For the foregoing reasons, independent claim 1, as well as the claims dependent therefrom, is deemed to be in condition for allowance. An early Notice appssing the application to issue is earnestly solicited.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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